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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/694,748	10/29/2003	Hiroshi Tachiki	1248-0676P	5416

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EXAMINER

GLEITZ, RYAN M

ART UNIT	PAPER NUMBER
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2852

DATE MAILED: 05/01/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/694,748

Applicant(s)

TACHIKI ET AL.

Examiner

Ryan Gleitz

Art Unit

2852

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 February 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3, 5-11 and 13-25 is/are pending in the application.
- 4a) Of the above claim(s) 17-19 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3, 5-11, 13-16 and 20-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-3, 5-11, 14-15, and 20-25 are rejected under 35 U.S.C. 102(b) as being anticipated by Sameshima (US 6,115,568).

Sameshima discloses an image forming device including a detaching/attaching mechanism by which a transfer supporter (5a) is supported so as to be detachable/attachable from/to an image supporter (1). A holding member (19b) contacts an image supporter on which an image is formed in accordance with image data, so as to support the transfer supporter (5a) which transfer the image; and a pushing member (17) pushes the transfer supporter (5a) toward the image supporter (1) via the holding member (19b), in order to cause the transfer supporter (5a) to be in touch with the image supporter (1), by causing the pushing member (17) to move in one direction, support of the contacting member (5) by the holding member (19b) is released so that the contacting member (5) is caused to be detached from the supporting member.

The holding member (19b) includes groove (19b) as a position regulating means for regulating a position of the contacting member (5), when the contacting member (5) is detached from the supporting member (1) as shown by figure 2; and the contacting member (5) is provided on the holding member (19b).

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Regarding claim 7, the transfer supporter device (5a) being detached from the image supporter by performing an action of opening a part of an outer covering the image forming device, as shown by figures 2 and 3.

Regarding claim 8, support of the transfer supporter device (5a) with respect to a main body of the image forming device being released by performing an action of opening a part of an outer covering of the image forming device, via locking pins (18a).

Regarding claims 9, 10, 15, 16, 20 and 21, front frame (17d) is the part of the outer covering of the image forming device is provided in parallel to an axis of a roller member (fig. 2; no numeral) which supports the transfer supporter (5a) of the transfer supporter device to be rotatable, and the part (17d) of the outer covering is opened in a direction orthogonal to the axis of the roller member. The transfer supporter device is detachable/attachable to/from a main body of the image forming device, and is detached/attached from/to the main body when the part of the outer covering is opened, as shown by figure 2.

Regarding claim 11, first rail (18a) is an aligning member which determines a position of the transfer supporter device (5a) with respect to a main body of the image forming device, and the aligning member (18a) includes stopper (18e) as a position regulating means for preventing deviation of the transfer supporter device (5a).

Regarding claims 2, 5, 22 and 23, a frame member of a main body of the image forming device includes a rail member (19) which guides the transfer supporter device. A plurality of positioning means, for example 18d and 19d, determine a position of the transfer supporter device (5a). Groove (19b) is position regulating means or notch for preventing deviation of the transfer supporter device (5a) with respect to the rail member (19).

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Regarding claim 3, guide (26), as shown by figures 3 and 4, is a swing-move member which can swing and move in a direction toward the contacting member (5a), wherein, the pushing member includes a slide cam section (38), and by causing the pushing member to move in one direction, the slide cam (38) section is engaged with the swing-move member so that the swing-move member (26) swings and moves toward the contacting member (5a).

Regarding claims 14 and 24, protrusion 5k, as seen in figure 6, is a blocking member (i) which is engaged with an image supporter unit including the image supporter (1), when the transfer supporter is in touch with the image supporter (1), but (ii) which is released from engagement with the image supporter unit (1) and caused to move in accordance with an action of opening/closing the outer covering, when the transfer supporter is not in touch with the image supporter (1).

Regarding claim 25, the position of the contacting member in figure 7 is in a locked position.

Claims 7 and 13 are rejected under 35 U.S.C. 102(b) as being anticipated by Wakana (US 2002/0021916).

Wakana discloses an image forming device including an image supporter, which is inherent in an electrophotographic printer, see [0004], a transfer supporter device (12), a frame member including a rail member (44) including a plurality of positioning means (27b, 38b, for example) and a position regulating means (36b) for preventing deviation of the transfer supporter device with respect to the rail member, when a part of an outer covering (18) of the image forming device is opened.

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Regarding claim 13, notch (36b) faces at least either one of the plurality of positioning means (27b, 38b) and regulates deviation of an axis of a roller member which supports the transfer supporter to be rotatable. See figure 15.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 16 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sameshima (US 6,115,568) in view of Oki Technical Review (Oki).

Sameshima discloses the image forming device above, but does not disclose a plurality of image supporters.

However, Oki discloses the tandem method, which involves a plurality of image supporters to optimize color speed.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the image forming device of Sameshima to use the tandem method that Oki teaches to have the optimum color speed.

Response to Arguments

Applicant's arguments regarding claim 13 and Sameshima are persuasive. The rejection under 35 USC 102(b) of claim 13 as being anticipated by Sameshima is withdrawn. A new rejection under 35 USC 102(b) of claim 13 as being anticipated by Wakana, a newly discovered reference is included above.

Allowable Subject Matter

Applicant is advised that the subject matter of claims 7, 13, and 3, if presented in a single combination would distinguish over the prior art of record and be indicated as allowable subject matter.

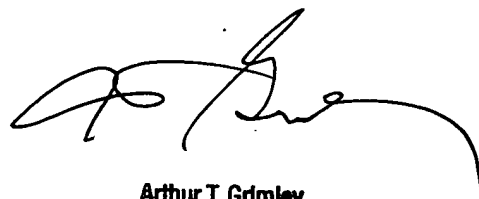
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ryan Gleitz whose telephone number is (571) 272-2134. The examiner can normally be reached on Monday-Friday between 9:00AM and 6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Arthur Grimley can be reached on (571) 272-2136. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

rg



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